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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/772,804

02/05/2004

Mark A. Wagner

29488/39975

5215

4743

7590

04/19/2006

MARSHALL, GERSTEIN & BORUN LLP  
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EXAMINER

MAGUIRE, LINDSAY M

ART UNIT

PAPER NUMBER

3634

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

### Notice of Non-Responsive Amendment

The reply filed on April 11, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant failed to elect a species. While Applicant did provisionally elect invention I, the required election of species was omitted. Applicant is reminded of the Election/Restriction requirement as stated in the previous action:

“Applicant is advised that the reply to this requirement *to be complete must include* (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.”

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

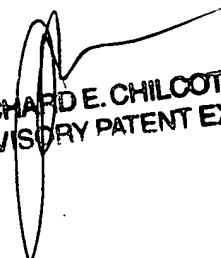
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lindsay M. Maguire whose telephone number is 571-272-6039. The examiner can normally be reached on M-F: 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lindsay M. Maguire  
4/14/06

  
RICHARD E. CHILCOT, JR.  
SUPERVISORY PATENT EXAMINER